standby backup mode, and a generator startup battery charging mode. Further, Claims 2 and 12 add a transfer to standalone mode limitation.

Claims 1, 2, 4-8, 10-12, and 14-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,304,006 to Jungreis in view of U.S. Patent No. 6,441,505 to Poletti and U.S. Patent No. 6,538,345 to Maller. Jungreis was described as showing a standby microturbine generator controller having a control unit and a utility power grid sensor output line. Jungreis does not show a control unit or a utility power grid disconnect output line causing automatic transition of the microturbine generator system between at least four states. Poletti was described as showing a backup generator system wherein the backup generator system is in standby backup mode and is automatically activated to a standalone mode in a power outage. Maller was described as showing a microcomputer based control system used with electrical transfer switches.

The Applicant respectfully traverses the rejection of independent Claims 1 and 11 and the dependant claims thereon. Specifically, the Applicant traverses the rejection on the grounds that Poletti does not describe either a transfer to standby backup mode or a generator startup battery charging mode. Rather, the specification describes a power sensor and switch that detects the occurrence of a power failure. As described therein, "[t]his is a simple *two mode device* which changes mode when the power fails, and in turn activates the backup generator." *See* col. 4, lines 59-61. (Emphasis added). Likewise when the power is restored, "power sensor and switch 54 again changes modes which will deactivate the backup generator." *Id.* at lines 65-68.

As such, Poletti merely describes a two-mode system. Specifically, there is no mention of a transfer to standby backup mode. Instead of simply turning a switch on and off, the transfer to standby backup mode specifically includes the use of a delay period "K_refdly" between the time that the first circuit breaker is opened and the second one is closed. No such delay is shown in Poletti.

Likewise with respect to the battery charging mode, Poletti merely describes the use of a timer 62 that activates the backup generator on a periodic basis for routine maintenance. During that routine maintenance period, "[i]t is conceivable that other sensors may be employed to monitor battery levels, operating temperatures and other levels relative to the operation of the generator." *See* col. 5, lines 22-36. No mention is made in Poletti of actually recharging the battery.

The Applicant thus asserts that Claims 1 and 11 are patentable in that the cited references fail to disclose at least two elements of the claim.

Likewise, the Applicant respectfully traverses the rejection of Claims 2 and 12 for the reasons described above and for the reason that the cited references do not disclose a transfer to standalone mode. As described above, Poletti is merely an on and off system.

The Applicant further traverses the rejection of Claims 6 and 16 concerning a transition to generator startup battery charging mode. The cited references appear to be silent on recharging the battery.

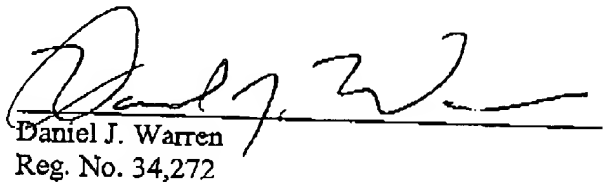
Claims 3, 9, 13, and 19 were rejection under 35 U.S.C. §103(a) as being unpatentable over Jungreis in view of Poletti and Maller and further in view of U.S. Patent No.

5,811,960 to Sickle. The Applicant respectfully traverses the rejection of the claims for the reasons given above with respect to Claims 1 and 11.

CONCLUSION

The Applicant believes that it has responded to each matter raised in the Office Action. Any questions may be directed to the undersigned at (404) 853-8028. Allowance of all claims is respectfully solicited.

Respectfully submitted,



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